

**Responses to Comments in Letter 135 from Kaleen Cottingham,
Washington State Department of Natural Resources**

*Note: The responses listed below are numbered to correspond to the numbers shown
in the right-hand margin of the preceding comment letter.*

1. The 115 kV power lines that run through Whatcom County and the crossing of the Nooksack River are no longer part of the project. Only the 230 kV line to Canada is included in the project.
2. With the elimination of the 115 kV power line from the project, no school trust land is at issue.
3. The 115 kV transmission lines have been eliminated as an alternative.
4. State and local permits and regulatory requirements are discussed in Chapter 1 of the EIS. If this project is approved, EFSEC would specify the conditions of construction and operation through the Site Certification Agreement in lieu of any other individual state or local authority, including Forest Practices Applications. Concurrence with all state and local permits and regulatory requirements would be documented in the Site Certification Agreement.

Vegetation impacts associated with construction and operation of the proposed action are discussed in Section 3.4 of the EIS. As discussed in the Final EIS, the two 115 kV electrical transmission line options are no longer part of the proposed action. Excluding these transmission lines from the proposed action greatly reduces the number of trees that would be removed or trimmed. As stated in the Final EIS, no trees would be removed in the construction of the natural gas line. Natural gas line crossings of Johnson Creek, Sumas River, and Bone Creek will utilize at least 200-foot setbacks for drilling under the streams to avoid removing trees.

The number of trees removed to construct the 230 kV electrical transmission line is discussed in the EIS. Information provided in the EFSEC Application identifies five large cottonwood and red alder trees that include one 30-inch diameter at breast height (dbh) cottonwood and four red alder and cottonwood trees ranging from 11 inches to 15 inches dbh. The Final EIS has been revised to include this information.

Measures to avoid wetlands and other natural resources are identified in agreements made with the Washington Department of Fish and Wildlife and the Department of Ecology (see Volume 1, Appendix G).

5. With the elimination of the two 115 kV electrical transmission line options from the proposed action, no significant bald eagle habitat would be disturbed. No nests are present within construction and/or operational areas. Should a new bald eagle nest be found, then the applicant would be required to protect it under the Bald Eagle Protection Rules (WAC-232-12-292).

If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during ground breaking activities, work will stop in the immediate vicinity of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the Office of Archeology and Historic Preservation, the potentially affected tribe, and other appropriate agencies.

6. A full description of the applicable comprehensive plans, zoning and development regulations, and other land use programs relevant to the project can be found in Section 5.1, Land and Shoreline Use, in the Application for Site Certification.

The proposed plant site and part of the 230 kV transmission line lie within the City of Sumas. The proposed plant site is zoned industrial and the proposed use is permitted with the industrial zoning district subject to compliance with the City of Sumas Shoreline Management Plan, the City of Sumas Wetlands Protection Ordinance, and the City of Sumas Flood Plain Management Plan. The industrial zone is governed by and consistent with the urban industrial use policies outlined in the City of Sumas Comprehensive Plan. The City of Sumas Comprehensive Plan, goals, and policies are discussed in Section 5.1.2 of the Application for Site Certification.

A portion of the natural gas pipeline proposed to serve S2GF is located within Whatcom County. Section 5.1.2 of the Application for Site Certification describes the pipeline's consistency with the Whatcom County Comprehensive Land Use Plan, Zoning Code, Shoreline Management Program, and Critical Areas Ordinance.